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5 Counsel for Defendant SOAREZ

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7  
8 IN THE UNITED STATES DISTRICT COURT  
9 FOR THE NORTHERN DISTRICT OF CALIFORNIA  
10

11 UNITED STATES OF AMERICA,

12 Plaintiff,

13 v.

14 MARCO SOAREZ,

15 Defendant.  
16

)  
) No. CR 11-0344 SBA

)  
) STIPULATION AND [PROPOSED]  
) ORDER CONTINUING STATUS AND  
) MOTION SETTING DATE;  
) EXCLUSION OF TIME

17 **STIPULATION**

18 IT IS HEREBY STIPULATED, by and between the parties to this action, that the status and  
19 motion setting date with respect to Marco Soarez, currently scheduled for Tuesday, January 24,  
20 2012, at 10:00 a.m. before Honorable Sandra Brown Armstrong, may be continued to Tuesday,  
21 February 21, 2012, at 10:00 a.m. for status and motion setting. The reason for the continuance is  
22 that defense counsel will be in trial starting January 23, 2012, and unavailable on January 24, 2012.  
23 A continuance to February 21, 2012, will allow counsel to be present at the status and motion date.  
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25  
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1 IT IS FURTHER STIPULATED THAT the time from January 24, 2012, to February 21, 2012,  
2 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C. §§  
3 3161(h)(7)(B)(iv) for continuity of counsel.

4 DATED: 1/18/12

5 /s/  
JOYCE LEAVITT  
Assistant Federal Public Defender

6  
7 DATED: 1/18/12

8 /s/  
MAUREEN BESSETTE  
Assistant United States Attorney

9 I hereby attest that I have on file all holographed signatures for any signatures indicated by a  
10 conformed signature (/s/) within this e-filed document.

11 **ORDER**

12 GOOD CAUSE APPEARING, IT IS HEREBY ORDERED that status and motion setting date  
13 with respect to Marco Soarez, currently scheduled for Tuesday, January 24, 2012, at 10:00 a.m., is  
14 hereby continued to **Tuesday, February 21, 2012, at 10:00 a.m.** for status and motion setting.

15  
16 IT IS FURTHER ORDERED THAT the time from January 24, 2012, to February 21, 2012,  
17 should be excluded in accordance with the provisions of the Speedy Trial Act, 18 U.S.C.  
18 §3161(h)(7)(A) and (B)(iv) for continuity of counsel so that defense counsel can be present. The  
19 Court finds that there is good cause and that the ends of justice served by the granting of the  
20 continuance outweigh the best interests of the public and the defendant in a speedy and public trial  
21 and the failure to grant the requested continuance would unreasonably deny counsel the reasonable  
22 time necessary for effective preparation, taking into account due diligence.

23  
24 SO ORDERED.

25 DATED: 1-20-12

26 *Saundra B. Armstrong*  
HON. SAUNDRA BROWN ARMSTRONG  
United States District Judge